

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

**ALFRED T. GIULIANO, trustee;
GRAHAM-FIELD, INC., et al.
Plaintiffs,**

v.

CIVIL NO. 98-1306 (DRD)

**TUFFCARE, INC.
Defendants.**

ORDER

The Court has received positive feedback from both parties to the instant case wherein both parties informed their willingness to reach a settlement agreement on the instant matter under the parameters provided by the Court's Appointed Certified Mediator, Mr. Guillermo A. Nigaglioni. The Court therefore sends this case back to mediation. The Mediator has advised the Court that perhaps two to three meetings may produce settlement. **Each party is to deposit \$1500 at the Clerks Office by August 31, 2004 before 5:00 p.m.**

The Mediator is to continue services at the rate as previously established by the Court (\$225.00 per hour Docket No. 188). Monies not used shall be returned to the parties. The parties are to coordinate with the Mediator at least a couple of session as needed between September 1 and September 21, 2004. **The Court shall meet with the parties and the Mediator at a Status/Settlement Conference on September 23, 2004 at 5:00 p.m.** If a settlement agreement is not reached, a Pre-Trial Conference shall be scheduled at the September 23, 2004, Status Conference.

Counsel for the Plaintiff will be allowed to appear via telephone conference if necessary. Should no settlement be reached, the case will be set for trial in early November 2004. The Mediator is to be notified of this Order by the Clerk of the Court via fax and by telephone. Other parties are to be notified via electronically. **The Pre-Trial Conference scheduled for the 20th day of August 2004 at 3:30 p.m. is VACATED.**

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 18th day of August 2004.

**S/DANIEL R. DOMINGUEZ
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE**